

PB# 98-11

NEW WINDSOR BP

14-4-1

98 - 11

New Windsor B.P. S.P.
Rt. 94 & 9W (Michael)

Copy 12-8-98

Wilson Jones - Carbonless - 31654-NCR Duplicate - 31657N-CL Triplicate

Wilson Jones, 1989

DATE April 17, 1998 RECEIPT NUMBER 98-11
RECEIVED FROM Mid-Valley Oil Co.
Address P.O. Box 4092 - New Windsor, N.Y.
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
FOR Site Plan Escrow

BY [Signature]

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 -	CASH	
AMOUNT PAID	750 -	CHECK	#15725
BALANCE DUE	-0 -	MONEY ORDER	

Wilson Jones - Carbonless - 31654-NCR Duplicate - 31657N-CL Triplicate

Wilson Jones, 1989

DATE April 20, 1998 RECEIPT NUMBER 297651
RECEIVED FROM Mid-Valley Oil Company, Inc.
Address _____
One Hundred and 00/100 DOLLARS \$ 100.00
FOR Planning Board Application Fee
(#98-11)

BY [Signature]

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	#15724
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Wilson Jones - Carbonless - 31654-NCR Duplicate - 31657N-CL Triplicate

Wilson Jones, 1989

DATE 12/2/98 RECEIPT NUMBER 037395
RECEIVED FROM Mid-Valley Oil Company
Address _____
One Hundred 00/100 DOLLARS \$ 100.00
FOR P.B. #98-11
Approval Fee

BY [Signature]

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	24327
BALANCE DUE		MONEY ORDER	

Wilson Jones - Carbonless - 31654-NCR Duplicate - 31657N-CL Triplicate

Wilson Jones, 1989

DATE December 1, 1998 RECEIPT NUMBER 98-11
RECEIVED FROM Mid-Valley Oil Co. Inc.
Address P.O. Box 4092 - New Windsor, N.Y. 12553
Four Hundred Seventy 00/100 DOLLARS \$ 470.00
FOR 2% of \$23,500.00 - Inspection Fee

BY [Signature]

ACCOUNT		HOW PAID	
BEGINNING BALANCE	470 -	CASH	
AMOUNT PAID	470 -	CHECK	#24326
BALANCE DUE	-0 -	MONEY ORDER	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/19/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/17/98	REC. CK. #15725	PAID		750.00	
04/22/98	P.B. ATTY. FEE	CHG	35.00		
04/22/98	P.B. MINUTES	CHG	49.50		
08/26/98	P.B. ATTY. FEE	CHG	35.00		
08/26/98	P.B. MINUTES	CHG	18.00		
11/10/98	P.B. ENGINEER FEE	CHG	320.50		
11/19/98	RET. TO APPLICANT	CHG	292.00		
			-----	-----	-----
		TOTAL:	750.00	750.00	0.00

*Please issue a check in the
amount of \$292.00 to:*

*Mid - Valley Oil Co.
P.O. Box 4092
New Windsor, N.Y. 12553*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/09/98

PAGE: 1

STAGE: LISTING OF PLANNING BOARD ACTIONS

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/08/98	PLANS STAMPED	APPROVED
08/26/98	P.B. APPEARANCE	APPROVED COND
04/22/98	P.B. APPEARANCE	REFER TO Z.B.A.
04/01/98	WORK SESSION APPEARANCE	SUBMIT
03/04/98	WORK SESSION APPEARANCE	RET. TO W.S.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/02/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/19/98	2% OF 23,500.00 INSPECT. FE	CHG	470.00		
12/01/98	REC. CK. #24326	PAID		470.00	
			-----	-----	-----
		TOTAL:	470.00	470.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/19/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/17/98	REC. CK. #15725	PAID		750.00	
04/22/98	P.B. ATTY. FEE	CHG	35.00		
04/22/98	P.B. MINUTES	CHG	49.50		
08/26/98	P.B. ATTY. FEE	CHG	35.00		
08/26/98	P.B. MINUTES	CHG	18.00		
11/10/98	P.B. ENGINEER FEE	CHG	320.50		
11/19/98	RET. TO APPLICANT	CHG	292.00		
			-----	-----	-----
		TOTAL:	750.00	750.00	0.00

L.R. - 12/9/98

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/02/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/26/98	P.B. APPROVAL FEE	CHG	100.00		
12/01/98	REC. CK. #24327	PAID		100.00	
			-----	-----	-----
		TOTAL:	100.00	100.00	0.00

SITE PLAN FEES - TOWN OF NEW WINDSOR
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

* * * * *

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ _____

MULTI-FAMILY SITE PLANS:

_____ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$ _____

_____ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ _____

TOTAL ESCROW PAID:.....\$ _____

* * * * *

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00 ①

PLAN REVIEW FEE (MULTI-FAMILY): A. \$100.00
PLUS \$25.00/UNIT B. _____

TOTAL OF A & B: \$ X

RECREATION FEE: (MULTI-FAMILY)

\$500.00 PER UNIT

_____ @ \$500.00 EA. EQUALS: \$ X
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 23,500.00

2% OF COST ESTIMATE \$ _____ EQUALS \$ 470.00 ②

TOTAL ESCROW PAID:.....\$ _____

TO BE DEDUCTED FROM ESCROW: _____

RETURN TO APPLICANT: \$ _____

ADDITIONAL DUE: \$ _____

SITE WORK COST ESTIMATE
NEW WINDSOR BP
325 RT. 9W
NEW WINDSOR, NY

TO: TOWN OF NEW WINDSOR
PLANNING BOARD

1. PAVING	\$12,500.00
2. STRIPING	\$500.00
3. LIGHTING	\$5,000.00
4. LANDSCAPING	\$5,500.00

\$ 23,500.00

2%

470.00

TOTAL P.02

RECEIVED OCT - 5 1998

NEW WINDSOR B.P. (98-11) RT. 94 & 9W

Mr. Thomas Michael appeared before the board for this proposal.

MR. PETRO: I have to state for the minutes that I am the owner of the corporation that owns this particular site and so I'll step down and turn this application over to the Vice Chairman, Mr. Lander. I believe they are coming back from the zoning board.

MR. MICHAEL: Yes, we are. This project, the BP station on the corner of highway 94 and Route 9W, I have been in front of planning board already with this project. We're basically replacing the gasoline facilities at the location, upgrading it to this year's required federal and state standards. Part of the upgrade is going to be installing two new underground storage tanks, new piping, new dispensers and we'd like to add a canopy over top of the gasoline dispensers, which is why we had to go to the zoning board because we have a front yard setback of 15 feet versus required 40 feet, I believe, and we were granted a variance by the zoning board in which case we're back now in front of planning board.

MR. LANDER: What are the variances needed on this project?

MR. MICHAEL: Front yard variance received for the canopy.

MR. LANDER: How did we make out with the garbage dumpster on this?

MR. MICHAEL: We put the garbage dumpster on the southeastern corner of the property with a dumpster enclosure next to parking space 11.

MR. STENT: I see you have taken care of the landscaping and the curbing over by the monument, so that's going to be blocked and dressed up.

MR. MICHAEL: Based on the board's recommendation, we're going to install blacktop curb with some

shrubbery to define the gas station from the park.

MR. STENT: Make a motion we declare lead agency.

MR. ARGENIO: Second it.

MR. LANDER: Motion has been made and seconded that the New Windsor Planning Board assume lead agency under the SEQRA process.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE

MR. LANDER: Just going back to the curb, where is that going to be?

MR. MICHAEL: Between the park and the gas station out here.

MR. LANDER: There's two parking spaces going to be along in there also?

MR. MICHAEL: Correct.

MR. LANDER: Okay, for the record, we have municipal highway and municipal fire both approved. Metal box, what's on the 94 side?

MR. MICHAEL: That's an existing metal box, I believe it was originally for tire storage or something like that, it's something that they use in the garage.

MR. LANDER: Not for fuels?

MR. MICHAEL: No.

MR. LANDER: Gentlemen, what do you think about a public hearing?

MR. STENT: You had a public hearing at the zoning board?

MR. MICHAEL: Yes.

MR. STENT: Was there any comments from the audience at that time?

MR. MICHAEL: No, there wasn't.

MR. STENT: For nor against. Based on the public hearing they had at the zoning board, I think we should waive the public hearing here.

MR. ARGENIO: I agree, Mr. Chairman.

MR. STENT: That is a motion.

MR. LANDER: Motion has been made and seconded?

MR. ARGENIO: I'll second the motion to waive the public hearing.

MR. LANDER: Motion has been made and seconded to waive the public hearing pursuant to paragraph 49-19C of the town zoning local law.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE

MR. LANDER: Gentlemen, do you have anymore comments on this application before us?

MR. STENT: What you're doing here is you're improving something, bringing it into compliance with regulations that expire at the end of this year. Make it a better site. I think we can probably declare a negative dec seeing as how we're taking a bad situation and making it better, I make a motion that we do so.

MR. ARGENIO: I'll second that motion.

MR. LANDER: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec regarding the Quassaick Avenue BP. Is there any other

discussion? Roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE

MR. STENT: Do you have anything to add to this, Mark?

MR. EDSALL: No, they've resolved all the issues at the workshop meetings.

MR. STENT: There being nothing else, I make a motion we approve the New Windsor BP Mid-Valley Oil site plan intersection of Route 9W and 94.

MR. ARGENIO: Second it.

MR. LANDER: Motion has been made and seconded to approve the Quassaick Avenue BP at the corner of 9W and New York State Route 94. Any other comments? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: NEW WINDSOR B.P./MID VALLEY OIL SITE PLAN
PROJECT LOCATION: NYS ROUTES 9W AND 94
PROJECT NUMBER: 98-11
DATE: 25 AUGUST 1998
DESCRIPTION: THE APPLICATION PROPOSES THE INSTALLATION OF A NEW FUEL ISLAND CANOPY, AS WELL AS IDENTIFICATION OF THE CUSTOMER PARKING SPACES ON THE SITE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 22 APRIL 1998 PLANNING BOARD MEETING.

1. At the 22 April 1998 Planning Board meeting, the Applicant was referred to the Zoning Board of Appeals for necessary variances. It is my understanding that the Applicant has obtained the necessary variance for front yard setback for the canopy.
2. At this time, I am aware of no additional requirements of the Planning Board nor are there any outstanding review comments from the previous meeting.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:NWBPMID2.mk

PETRO/MID-VALLEY OIL

MR. NUGENT: Request for 25 ft. front yard setback variance for construction of canopy at BP Station located at intersection of Route 9W/94 in NC zone.

Mr. Thomas Michael appeared before the board for this proposal.

MR. NUGENT: Is there anyone here for the Petro/Mid-Valley Oil? Let the record show there's no one here.

MS. BARNHART: I have an affidavit of service by mail stating that on July 22, I sent out 26 addressed envelopes containing the public hearing notice.

MR. MICHAEL: My name is Thomas Michael, I'm facility manager for Mid-Valley Oil and the property I'm here this evening for this evening is on the corner of Route 9W and Route 94 and I'm here tonight for an area variance for front yard setback for a proposed canopy over proposed gasoline islands. We're upgrading the gasoline facilities on this property to meet the state and federal regulations that are due at the end of this year and part of the upgrade will be installation of new underground storage tanks, new mains, new conduits, new islands, new dispensers and new canopy. Variance is for front yard setback of 15 feet, required 40 right here front yard actually abuts the town, I think it's a Veteran's memorial and that is really it.

MR. KANE: The new canopy is going to have the fire system in it?

MR. MICHAEL: Yes, it will.

MR. KANE: Putting it in for the safety and well-being of your customers?

MR. MICHAEL: Exactly.

MR. KRIEGER: There is not now a fire system there?

MR. MICHAEL: There's no fire system, when it was built, they were not required, generally speaking, we find that the fire systems work much more efficiently under a canopy.

MR. KANE: You're not going to be creating water hazards or runoff?

MR. MICHAEL: No, we're repaving the property, we're not going to change the grade of the property at all.

MR. NUGENT: Also eliminating a couple of islands.

MR. MICHAEL: Currently, there are three or possibly four islands and as many as seven gasoline dispensers, we'll do the same number of products with two gasoline dispensers, we're reducing the number of tanks on the site from four to two.

MR. KANE: That is the canopy itself is not going to interfere with any sight lines on either 94 or 9W?

MR. MICHAEL: No, the canopy is 16 feet off the ground and that is required for emergency vehicle access.

MR. TORLEY: Can you speak to why it would be impractical to move it back 15 feet?

MR. MICHAEL: 25 feet, it would be, it would be blocking the service bay doors.

MR. TORLEY: Are you going to maintain this as a service station as well?

MR. MICHAEL: Currently, it will stay as a service station, not to say we won't be back before the board for something in the future. Right now, there's no plans to do anything other than to upgrade gasoline facilities and allow Julians to continue repairing cars without the volume of cars that are on the site, obviously with our investment, we expect to be able to get to the gas pumps to sell gas.

MR. TORLEY: My personal preference if you are going to be coming back to redo the whole site, there are many

other gas stations that go to a little tiny mini-mart setup, if you are redoing, I'll ask you again why you can't move the islands back but for now--

MR. MICHAEL: Well, mainly because of parking.

MR. TORLEY: Think about for your future.

MR. MICHAEL: Okay.

MR. TORLEY: Fire suppression is a good idea.

MR. KRIEGER: And other than being next to the memorial in the neighborhood, there's a couple of used car dealers.

MR. MICHAEL: Across the street there's used car dealership, across the other street is a cemetery, parking park in front of us, there is a residential house behind the property which I won't be doing any work in that general area. I don't think we'll change the view of the property one bit. Obviously, he lives next to a gas station now. He will be actually living next to a less intense gas station. Currently, the gas pumps are over here, actually three islands, so the house back here will have a better view of that, we're actually pulling the use back into the property a little bit trying to make some intelligent traffic flow occur.

MR. TORLEY: Improving the safety of the people entering and exiting the station?

MR. MICHAEL: Definitely improving safety. Right now, gas islands are right on the property line, although the property line is set back quite a ways from 9W. The other thing we're doing at the same time is putting in electronic detection equipment for underground protection for the environment.

MR. KANE: Entertain a motion?

MR. NUGENT: Yes, I will.

MR. KANE: I move that we approve the requested

August 10, 1998

45

variance for Petro/Mid-Valley Oil.

MS. OWEN: I second it.

ROLL CALL

MS. OWEN	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

RESULTS OF REG. MEETING OF: August 26, 1998

PROJECT: Thou Widdow B.P.

P.B.# 98-11

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y N

M) S S) A VOTE: A3 N 0

2. TAKE LEAD AGENCY: Y ☒ N

CARRIED: YES ☐ NO ☒

M) 5 S) 4 VOTE: A 3 NO

CARRIED: YES ☒ NO

WAIVE PUBLIC HEARING:

M) 5 S) A VOTE: A 3 N 0 WAIVED: Y ☒ N ☐

SCHEDULE P.H. Y N

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED: _____

M) S S A VOTE: A 3 N 0 APPROVED CONDITIONALLY: 8/26/98

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

[illegible]

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/09/98

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	04/17/98	EAF SUBMITTED	04/17/98	WITH APPLICATION
ORIG	04/17/98	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	04/17/98	LEAD AGENCY DECLARED	08/26/98	LEAD AGENCY
ORIG	04/17/98	DECLARATION (POS/NEG)	08/26/98	DECL. NEG. DEC.
ORIG	04/17/98	PUBLIC HEARING	08/26/98	WAIVE PUB. HEARING
ORIG	04/17/98	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/26/98

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 98-11
NAME: NEW WINDSOR BP
APPLICANT: MID VALLEY OIL

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	08/17/98	MUNICIPAL HIGHWAY	08/17/98	APPROVED
REV1	08/17/98	MUNICIPAL WATER	08/18/98	APPROVED
REV1	08/17/98	MUNICIPAL SEWER	08/17/98	APPROVED
REV1	08/17/98	MUNICIPAL FIRE	08/25/98	APPROVED
ORIG	04/17/98	MUNICIPAL HIGHWAY	04/22/98	APPROVED
ORIG	04/17/98	MUNICIPAL WATER . NOTIFY WATER DEPT. BEFORE WORK BEGINS	04/21/98	APPROVED
ORIG	04/17/98	MUNICIPAL SEWER	08/17/98	APPROVED
ORIG	04/17/98	MUNICIPAL FIRE	04/21/98	APPROVED

ZONING BOARD OF APPEALS

Summer Session

August 10, 1998

AGENDA:

7:30 P.M.- ROLL CALL

Motion to accept minutes of July 13, 1998 meeting as written.

PRELIMINARY MEETING:

SET UP FOR
P/H 1. **N.W. PARTNERS LP** - Referred by PB for 11.5 ft. maximum building height variance for construction of commercial building on the e/s Route 32 (Daidone) in a C zone. (65-2-16.21), 16.22 & 25). Present: Greg Shaw.

SET UP FOR
P/H 2. **KROLL/JASAL AUTO RECYCLING** - Request for interpretation or use variance: proposed recycle center is not listed in uses permitted by right since it is a private enterprise and not a municipality in PI zone at site on River Road. (9-1-74). *not found*

SET UP FOR
P/H 3. **KLINE/INSULSASH** - Request for variation of Sec. 48-18H(1)(b)(1) for a wall sign which exceeds minimum of 2.5 ft. by 10 ft. at 520 Temple Hill Road in a PI zone. (4-2-3.12) *not found*

PUBLIC HEARINGS:

APPROVED 4. **VAN LEEUWEN/FIEDELHOLTZ** - Request for 9 ft. lot width variance on Lot #2 to construct single-family dwelling on n/w side of Beattie Road in an R-1 zone.

TABLE 5. **MOSHIL INC.** - Request for use variance for multi-family in a NC zone located on 1144 Route 94. (67-4-21).

APPROVED 6. **PETRO/MID-VALLEY OIL** - Request for 25 ft. front yard setback variance for construction of canopy at BP Station located at intersection of Route 9W/94 in NC zone. (14-4-1). *PLANNING BOARD*

APPROVED 7. **HENAULT, PAUL R.** - Request for variation of Section 48-14A(4) of the Supplemental Yard Regs. to allow existing shed to project closer to road than principal building at 314 Toleman Road in an R-1 zone. (52-1-30.1).

APPROVED 8. **DOMINGUES, CARLOS** - Request for 9,722 sq. ft. lot area to construct single-family residence on Beaver Brook Road in R-4 zone. (58-2-9).

Formal Decisions: WATLKE, DEMILT, WELLER, HAIGHT & TORPEY. - *APPROVED*

Pat - 563-4630 (o)

562-7107 (h)

ZONING BOARD OF APPEALS

Regular Session

May 11, 1998

REVISED AGENDA:

7:30 p.m. – ROLL CALL

Motion to accept minutes of the 4/13/98 and 4/27/98 meetings as written.

PRELIMINARY MEETING:

ETUP
OR P/H 1. TORPEY, PATRICK – Referred by PB for finding as to whether he is expanding his non-conforming use under Sec. 48-24B(3), located at 200 Union Avenue (20th Century Towing) in a PI zone. (21-2-9).

TUP
OR P/H 2. WELLER, FRED – Request for 7 ft. side yard and 6 ft. rear yard variances for existing shed at 18 Nee Avenue in an R-4 zone. (48-4-11).

TUP
OR P/H 3. MID-VALLEY OIL – Referred by PB for request for 25.0 ft. front yard variance for canopy and 2 parking spaces at BP Station located on Rt. 9W in an NC zone. (14-4-1).

PUBLIC HEARINGS:

APPROVED 4. OAKWOOD TERRACE HOUSING – Request for 1 ft. maximum structure height to construct a 6 ft. fence in variation of Sec. 48-14C(1) of the Suppl. Yard Regs. (structure between principal building and street) located off Route 94 in an R-5 zone. (44-1-37).

APPROVED 5. COLONI, RICHARD B. – Request for 10 ft. front yard variance for existing front deck and 2 ft. rear yard variance for existing rear deck located at 3011 Rt. 9W in an R-4 zone. (48-1-3.1).

APPROVED 6. CICCONE, ANTHONY – Request for 8 ft. rear yard variance to construct a 10 x 14 ft. addition to residence located at 33 Oxford Road in an R-4 zone. (6-6-4.2).

DECISION: REDDINGS

Pat – 563-4630 (o)
562-7107 (h)

DISAPPROVED

RESULTS OF P.B. MEETING OF: April 32, 1998

PROJECT: New Windsor B.P. **P.B.#** 98-11

LEAD AGENCY:

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y__ N__

M)__ S)__ VOTE: A__ N__

2. **TAKE LEAD AGENCY:** Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

WAIVE PUBLIC HEARING: M)__ S)__ VOTE: A__ N__ **WAIVED:** Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

J. Petro Abstain / owner of property

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ **APPROVED:** _____

M)__ S)__ VOTE: A__ N__ **APPROVED CONDITIONALLY:** _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<i>Need front yard setback for ZBA</i>
<i>Need Dumpster enclosure next to parking space #11</i>
<i>show 15 spaces for parking</i>

#1 ZBA 5-11-98
SET UP FOR P/H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 98-11

DATE: 1 MAY 98

APPLICANT: MID VALLEY OIL

P.O. BOX 4092

NEW WINDSOR N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED APRIL 6 1998

FOR (~~SUBDIVISION~~ - SITE PLAN) BP STATION

LOCATED AT ROUTE 9W & ROUTE 94

ZONE N.C.

DESCRIPTION OF EXISTING SITE: SEC: _____ BLOCK: _____ LOT: _____

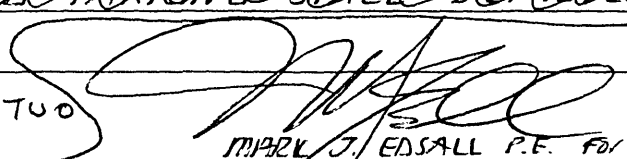
IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

VARIANCE REQUIRED FOR CANOPY FRONT YARD

SETBACK AND PARKING SPACE DEFULMENT

REVISED 5-11-98

APPLICANT WILL ADD TWO
PARKING SPACES


MARK J. EDSALL P.E. FOR
MICHAEL BABCOCK,
BUILDING INSPECTOR

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE	<u>NC</u>	USE	<u>B-7</u>
MIN. LOT AREA	<u>15 000 SF</u>	<u>14739 SF</u>	<u>*(1)</u>
MIN. LOT WIDTH	<u>125 FT</u>	<u>149.15 FT</u>	<u>—</u>
REQ'D FRONT YD	<u>40 FT</u>	<u>BUILDING 31.4 FT CANOPY 15.0 FT</u>	<u>CANOPY 25.0 FT</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>N/A</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>30 FT</u>	<u>N/A</u>	<u>—</u>
REQ'D REAR YD.	<u>15 FT</u>	<u>0.9 FT</u>	<u>*(1)</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT.	<u>23 FT</u>	<u>BUILDING 18 FT CANOPY 18 FT</u>	<u>—</u>
FLOOR AREA RATIO	<u>0.5</u>	<u>0.11</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>	<u>—</u>
DEV. COVERAGE	<u>N/A</u> %	<u>—</u> %	<u>—</u> %
O/S PARKING SPACES	<u>13</u>	<u>11</u>	<u>2</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE Z.B.A. REFERRALS:

NEW WINDSOR BP (98-11) ROUTE 9W & RT. 94

Mr. Thomas Michael appeared before the board for this proposal.

MR. PETRO: Also for the minutes I want to state that I am the owner of this property, this is being leased to these people. Being this is just a referral to the zoning board, that I will still conduct the meeting but I will not be voting. And again, I have checked with the attorney and the planning board engineer and they see no problem with that. Okay, with that, Mr. Michael, want to show us what you're doing there and we'll take a look?

MR. MICHAEL: While you're opening your maps, I will get started. My name is Thomas Michael, I'm the Facilities Manager for Mid-Valley Oil. Mid-Valley Oil is a New Windsor based company. I do a lot of planning boards, it's just nice to come to one in the town we're based out of. We operate convenient store chain, we also have a series of dealer locations that we supply fuel to and that is where this piece of property comes into our realm of responsibility. This is a BP station on the corner of Route 94 and Route 9W. It was formally an ATI location and I'm sure you're all familiar with the property. There's a town park right in front of it Veteran's Memorial, I believe it is, and location currently has three pump islands, each island has actually two pumps on each island on Route 9W side and three on the Route 94 side. We actually have recently become involved in this property, actually leased it within a year prior to that, we supplied fuel to another dealer who operated it who since had to pull out which leaves us in the responsibility for the property. And as many of you know, this year, 1998 December 22 is the deadline for upgrading of all underground storage tanks for the federal government and New York State DEC so that means we will be doing that. We looked at the property and believe it can do more business than it currently does. So we'd like to also install a new canopy over top of a new island with two gasoline dispensers so we'll be removing three

existing islands and putting in actually two islands, but it's one island line shall we say with two pumps with a 24 x 30 canopy. With the plans that you see in the upper right-hand corner, there's an elevation of the canopy, the location will say BP, the canopy fascia on that is a BP green, I don't believe there are any other BP's in this area. But anyway, the new gasoline dispensers and piping and tanks will all meet the 1998 regulations. There will be double wall fiberglass tanks, flexible double wall piping, with containment electronic monitoring. Part of this job will also be to clean up contamination on site, if there is any. Our preliminary investigations don't show any contamination, but it's my experience any time you have something like this this old, you'll find that. We're not doing any work with the DOT, road cuts I will say that now. Open for questions.

MR. PETRO: Did you have some of the property, I should know, but I don't know some of the property was donated by the state or taken from the state because of the easement line, do you know what I am talking about?

MR. MICHAEL: Well, on the 9W side, I believe you're talking about there was an issue with my surveyor, he had to go back and do some further investigation. There was a piece of property we thought that the property on 9W was not as far away from the road if you look just below where it says US highway, you'll see edge of shoulder, that is the actual edge of the road. So there's a large piece of property between the property line and the actual highway and we thought that that went with the property and it doesn't and the actual, the islands that are on that 9W side are the property line. It's almost right on the property line and the concrete drive mats extends into the state right-of-way at some point it was granted to the state.

MR. LANDER: So, that is the state right-of-way that property line?

MR. MICHAEL: Yes.

MR. LANDER: Is your canopy, is that what you need a variance for?

MR. MICHAEL: We need a front yard setback, I believe.

MR. LUCAS: When we do the referral that we're going to do, can we get ahold of the people that work with the memorial in some way because they maintain that. And I go down there with the fire company a lot. They should be present so if they have any questions, there is a committee that takes care of it.

MR. PETRO: Will they be notified for a public hearing?

MR. LUCAS: Like the American Legion.

MR. KRIEGER: Well, if they are--who owns that property?

MR. LUCAS: Town of New Windsor.

MR. BABCOCK: No, state.

MR. LANDER: What I think Mike's getting at is that as in the past, cars keep getting further and further onto the monument's property or the state's property. There is all grass and they try to maintain that so what we'd be looking for when you come back in is some kind of barrier to keep the cars from encroaching on in.

MR. MICHAEL: That was brought to my attention in the planning conference about the car issue, about the grass area where the blacktop ends and our way of solving that is very simple. Actually, one of two things, first of all, talk to the dealer, the number of cars needs to be reduced, if you are going to put that kind of investment in the gasoline operation, you can't sell gas if you can't get to the pumps, very simple business rule. Second thing we can do we when blacktop the site, we can put a wing curb across the front.

MR. LANDER: Something to keep the cars from encroaching on that property because they try to maintain the lawn, there's ruts and they destroy the grass.

MR. PETRO: Maybe more than just the wing, maybe some

shrubbery so they can't.

MR. LUCAS: Mike it a little bit more cleaner because I know through the fire company and other organizations the Purple Heart Association just put like another monument on there or another plaque and they have been down there maintaining it. So I'd like to really I'm there every Memorial Day and I'd like to see that preserved as best we could.

MR. MICHAEL: I think that is a reasonable request. Part of the process and just so the board's aware of it we inherited ten of these properties, eight are this vintage and this condition. This is one of the better ones and it's time to come in with an excavator, it's time to clean up anything that is there, not supposed to be there is taken out, tanks, transmission, oily drums, anything. And part of the upgrade process is when we stay on the dealers, make sure they keep it clean, not only is it difficult to sell gas when you can't get to the islands, people don't want to come to a dirty station.

MR. STENT: It's not going to be a convenient mart?

MR. MICHAEL: We normally operate the Xtra Mart convenient stores, we have no plans at this time to convert that to a convenient store. I have to come back in front of the board if we wanted to anyway.

MR. KRIEGER: Any plans to upgrade the building?

MR. MICHAEL: I do intend to, I think the service there is undersized for the new gasoline pumps. So as far as renovating the building, we have no plans for renovating the building. It's a service station and that is the operator's responsibilities.

MR. LANDER: Where is the dumpster on this site?

MR. MICHAEL: I don't know that there actually is a dumpster on the site.

MR. PETRO: See parking lot number 7?

April 22, 1998

7

MR. LANDER: Parking space number 7.

MR. PETRO: Is where the dumpster is, it's not an enclosure, but I believe that little alcove behind the building is where they slide it in and out see it there?

MR. LANDER: Where it says oil tanks?

MR. PETRO: Just, they are below grade, those tanks?

MR. MICHAEL: I do not know, I think they are above grade.

MR. PETRO: It's an alcove, whether it goes in and out, I can't say, but that is where it goes.

MR. LANDER: We're going to be looking for some type of screening, maybe a gate if they do in fact go back into that little space there. Of course, with all the cars and trucks, you really can't see it anyway. When all this is moved, then it's going to be visible again from 9W.

MR. MICHAEL: When I say that we'll monitor the dealer, make sure that they are keeping the site clean, obviously, it is a repair station and there will be vehicles there. I drove by it tonight and as I was driving by, I lost count.

MR. PETRO: He's here for referral to the zoning board.

MR. STENT: Make a motion that we grant approval.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the new Windsor BP station on Route 94 and Rt. 9W. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO NO

MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. LANDER	NO
MR. PETRO	ABSTAIN

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for necessary variances. Once you have those variances and they are put on the plan, you may return before this board to seek approval for a site plan.

MR. MICHAEL: Which office do I apply to the zoning board?

MR. KRIEGER: Well, the Zoning Board secretary is also the town attorney's secretary.

MS. MASON: We have to wait until when we get the minutes, takes a week sometimes and then we do the referral over to the Zoning Board secretary. If you contact her now, she won't know anything about it.

MR. MICHAEL: Now, after the zoning board has approved or disapproved the project and I come back here, is there a public hearing required?

MR. PETRO: There's one for zoning board, you'll have it as zoning board and Mr. Krieger is also zoning board attorney, so sometimes we reflect upon him to tell us like if nobody showed up, we're not going to have it and we'll waive it under our discretionary power. To answer your question, not necessarily two public hearings.

MR. KRIEGER: Yes there definitely maybe here.

MR. LUCAS: To save you some time then from my own interests if you and Andy can remember when he comes if front of them, if you can at least contact the American Legion at least American Legion and after they get that letter, then I think any other of the organizations that are involved with that you can say if there's anybody else involved with the monument, please contact them that there's going to be a public hearing.

MR. KRIEGER: What we can do have Pat do is add them to the list for the mailing.

MR. MICHAEL: As the Zoning Board's attorney, is that a two meeting meeting?

MR. KRIEGER: Yes, there's a preliminary and there's a final.

MR. MICHAEL: They meet once a month?

MR. MICHAEL: Twice a month, second and fourth Mondays. The biggest time consuming, most time consuming thing between the preliminary and the final is the notice requirement.

MR. MICHAEL: Will a copy of tonight's minutes be sent to them?

MS. MASON: No.

MR. MICHAEL: So I'm just trying to address all the issues raised tonight. One of them was the area between the parking lot and the park, second one was the dumpster enclosure, those were the two major issues that I heard tonight, I can just incorporate them in the plan be done with it and move forward.

MR. STENT: Shrubbery basically landscaping plan.

MR. LANDER: Now, you're going for a variance for that canopy, you need one for parking also, right?

MR. MICHAEL: Existing non-conforming.

MR. EDSALL: I have got it down as an existing condition, maybe the board should discuss that if you think he needs that, we'll save him the trouble of sending him twice.

MR. KRIEGER: Might as well ask for everything.

MR. LANDER: Parking requirement needs 13, providing 11 and he does have space to stick two more spots, so he

at least conforms to that.

MR. MICHAEL: Parking is based off of square footage of the building, correct?

MR. LANDER: Yes.

MR. MICHAEL: Only question I have you're right, I can put additional parking on there if need be.

MR. KRIEGER: Either put it on the map before you come back here or if it isn't going to fit when you apply to the zoning board, you might as well plan for a parking variance. Now is the time to decide.

MR. MICHAEL: Why don't we--is there a set back from the property line for parking?

MR. BABCOCK: No.

MR. MICHAEL: So I will add, actually I will add two spaces and they'll be horizontal spaces out here along that parking property line, there shall be dumpster enclosures, curb along the park and two more parking spaces.

MR. PETRO: If it's already pre-existing non-conforming and he can't fit them on, why would he need a variance?

MR. EDSALL: Thing is he can fit them on if you have him put them in a location where they are not currently located as approved parking. The board could decide that there has never been more than 11 spaces, therefore, it's pre-existing non-conforming or you can take the other attitude, you're required to have 13, there's room for you to have 13, we want you to have 13.

MR. PETRO: Definitely, if the room is there I don't see why not.

MR. EDSALL: One of the items that is going to come up now we know there's a dumpster and you're going to have to put it someplace that is acceptable, the area behind the building I believe by code would be too loose to

meet the fire state by building code, so you may have to locate the enclosure which may kill space 7 or 11 so take that into consideration when you're looking at it.

MR. MICHAEL: Does the town have a law that says you can't have a dumpster enclosure behind the parking space?

MR. KRIEGER: State Building Code.

MR. EDSALL: Not next to a building behind the parking space.

MR. MICHAEL: I will put it right in front of parking space number two or three off the edge of the blacktop.

MR. BABCOCK: That's fine.

MR. EDSALL: Yeah, I mean--

MR. LANDER: Then you're going to have to enclose it. See, if it's back by the--

MR. MICHAEL: Typically for an operation of this size they probably have a 4 X 4 dumpster.

MR. EDSALL: So you might want to, well, maybe the first thing the board should do is decide which way you want to approach the parking, do you look at it as pre-existing non-conforming or do you want 13 spaces showing or a variance?

MR. LANDER: There's plenty of room for two more spaces on the lot.

MR. STENT: But he may be losing one because of the dumpster.

MR. LANDER: So he gets two along the monument side, all right, they run parallel to the property line.

MR. LUCAS: More than two.

MR. LANDER: Two there and then if he wanted to, you can put the dumpster by number 11, you have got all

this pavement, it's not yours, but they are not going to curb it, you can put it right next to number 11.

MR. PETRO: I agree with that, next to number 11.

MR. MICHAEL: That's fine, there's a little bit of curb there but it's not a big issue.

MR. PETRO: You're got plenty of room for a dumpster.

MR. MICHAEL: If we're talking about the parking problem and it's not considered pre-existing non-conformance, still requires a variance. There's three other items that are pre-existing non-conforming and if you bring the parking up, I'm bringing it up because I don't want to come back just before I get approval, I've got to go back to zoning, it's a sub, square footage of the lot is too small by 200 feet, 250 square feet, the front yard is too small but we're asking for a front yard setback. So that is not a problem. And the minimum rear yard is also non-conforming based on the--

MR. EDSALL: I think the difference Tom is that it's pretty well been documented and accepted that you can't move the building, so we just live with it as being non-conforming. I think what Ron brought up as far as parking was the fact that you could add the parking spaces in, its not a physical limitation.

MR. MICHAEL: As long as it's been thought through, I just don't want to have to come back twice.

MR. EDSALL: There is about 10 foot to 11 foot between spaces one and two and the property line, so a small dumpster enclosure would likely fit there and if the pick up is arranged during hours if those were customer spaces off hours it may work.

MR. PETRO: You know what's bad with that is usually any spot at a station becomes a spot with a car in it so I think a dumpster enclosure behind a space is not a good idea because there is always going to be a car of some kind there as long as it's a service station.

April 22, 1998

13

MR. MICHAEL: There is acceptable room next to number 11.

MR. PETRO: Because see that, all that property goes all the way up to 9W, I don't like that.

MR. EDSALL: No, by 11 is fine.

MR. MICHAEL: The volume of sales at the location does not warrant that we're imposing, so it's our intention to improve the site to increase the sales, so we think the site warrants it. There is enough people in the area.

MR. LUCAS: I get my gas there because I live right across the street, up a little bit, cemetery's across the street.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS



REVIEW NAME: NEW WINDSOR B.P./MID VALLEY OIL SITE PLAN
PROJECT LOCATION: NYS ROUTES 9W AND 94
PROJECT NUMBER: 98-11
DATE: 22 APRIL 1998
DESCRIPTION: THE APPLICATION PROPOSES THE INSTALLATION OF A
NEW FUEL ISLAND CANOPY, AS WELL AS
IDENTIFICATION OF THE CUSTOMER PARKING SPACES
ON THE SITE.

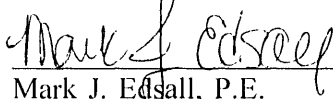
1. The project is located within the Neighborhood Commercial (NC) Zoning District of the Town. The use is Special Permit Use B-7 for that zone. The bulk information shown on the plan appears correct for the zone and use group.

The site conforms with the minimum bulk requirements, with the exception of several pre-existing non-conforming conditions and the need for a front yard variance for the proposed canopy.

The parking requirements on the plan note an existing deficiency (pre-existing, non-conformance). The plan should asterisk the provided parking spaces of eleven (11) to acknowledge this item as pre-existing.

2. I recommend that the Board perform a concept review of the overall site plan and determine if the plan, as presented, is generally acceptable. If so, I would recommend that the Planning Board refer this application to the Zoning Board of Appeals for necessary review and action. Upon the return of the Applicant to the Planning Board following receipt of necessary variances, I will continue my detailed review of the plan, as deemed appropriate by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.

Planning Board Engineer

MJEmk

A:NYPBMID.mk

POSSIBLE Z.B.A. REFERRALS:

NEW WINDSOR BP (98-11) ROUTE 9W & RT. 94

Mr. Thomas Michael appeared before the board for this proposal.

MR. PETRO: Also for the minutes I want to state that I am the owner of this property, this is being leased to these people. Being this is just a referral to the zoning board, that I will still conduct the meeting but I will not be voting. And again, I have checked with the attorney and the planning board engineer and they see no problem with that. Okay, with that, Mr. Michael, want to show us what you're doing there and we'll take a look?

MR. MICHAEL: While you're opening your maps, I will get started. My name is Thomas Michael, I'm the Facilities Manager for Mid-Valley Oil. Mid-Valley Oil is a New Windsor based company. I do a lot of planning boards, it's just nice to come to one in the town we're based out of. We operate convenient store chain, we also have a series of dealer locations that we supply fuel to and that is where this piece of property comes into our realm of responsibility. This is a BP station on the corner of Route 94 and Route 9W. It was formally an ATI location and I'm sure you're all familiar with the property. There's a town park right in front of it Veteran's Memorial, I believe it is, and location currently has three pump islands, each island has actually two pumps on each island on Route 9W side and three on the Route 94 side. We actually have recently become involved in this property, actually leased it within a year prior to that, we supplied fuel to another dealer who operated it who since had to pull out which leaves us in the responsibility for the property. And as many of you know, this year, 1998 December 22 is the deadline for upgrading of all underground storage tanks for the federal government and New York State DEC so that means we will be doing that. We looked at the property and believe it can do more business than it currently does. So we'd like to also install a new canopy over top of a new island with two gasoline dispensers so we'll be removing three

existing islands and putting in actually two islands, but it's one island line shall we say with two pumps with a 24 x 30 canopy. With the plans that you see in the upper right-hand corner, there's an elevation of the canopy, the location will say BP, the canopy fascia on that is a BP green, I don't believe there are any other BP's in this area. But anyway, the new gasoline dispensers and piping and tanks will all meet the 1998 regulations. There will be double wall fiberglass tanks, flexible double wall piping, with containment electronic monitoring. Part of this job will also be to clean up contamination on site, if there is any. Our preliminary investigations don't show any contamination, but it's my experience any time you have something like this this old, you'll find that. We're not doing any work with the DOT, road cuts I will say that now. Open for questions.

MR. PETRO: Did you have some of the property, I should know, but I don't know some of the property was donated by the state or taken from the state because of the easement line, do you know what I am talking about?

MR. MICHAEL: Well, on the 9W side, I believe you're talking about there was an issue with my surveyor, he had to go back and do some further investigation. There was a piece of property we thought that the property on 9W was not as far away from the road if you look just below where it says US highway, you'll see edge of shoulder, that is the actual edge of the road. So there's a large piece of property between the property line and the actual highway and we thought that that went with the property and it doesn't and the actual, the islands that are on that 9W side are the property line. It's almost right on the property line and the concrete drive mats extends into the state right-of-way at some point it was granted to the state.

MR. LANDER: So, that is the state right-of-way that property line?

MR. MICHAEL: Yes.

MR. LANDER: Is your canopy, is that what you need a variance for?

MR. MICHAEL: We need a front yard setback, I believe.

MR. LUCAS: When we do the referral that we're going to do, can we get ahold of the people that work with the memorial in some way because they maintain that. And I go down there with the fire company a lot. They should be present so if they have any questions, there is a committee that takes care of it.

MR. PETRO: Will they be notified for a public hearing?

MR. LUCAS: Like the American Legion.

MR. KRIEGER: Well, if they are--who owns that property?

MR. LUCAS: Town of New Windsor.

MR. BABCOCK: No, state.

MR. LANDER: What I think Mike's getting at is that as in the past, cars keep getting further and further onto the monument's property or the state's property. There is all grass and they try to maintain that so what we'd be looking for when you come back in is some kind of barrier to keep the cars from encroaching on in.

MR. MICHAEL: That was brought to my attention in the planning conference about the car issue, about the grass area where the blacktop ends and our way of solving that is very simple. Actually, one of two things, first of all, talk to the dealer, the number of cars needs to be reduced, if you are going to put that kind of investment in the gasoline operation, you can't sell gas if you can't get to the pumps, very simple business rule. Second thing we can do we when blacktop the site, we can put a wing curb across the front.

MR. LANDER: Something to keep the cars from encroaching on that property because they try to maintain the lawn, there's ruts and they destroy the grass.

MR. PETRO: Maybe more than just the wing, maybe some

shrubbery so they can't.

MR. LUCAS: Mike it a little bit more cleaner because I know through the fire company and other organizations the Purple Heart Association just put like another monument on there or another plaque and they have been down there maintaining it. So I'd like to really I'm there every Memorial Day and I'd like to see that preserved as best we could.

MR. MICHAEL: I think that is a reasonable request. Part of the process and just so the board's aware of it we inherited ten of these properties, eight are this vintage and this condition. This is one of the better ones and it's time to come in with an excavator, it's time to clean up anything that is there, not supposed to be there is taken out, tanks, transmission, oily drums, anything. And part of the upgrade process is when we stay on the dealers, make sure they keep it clean, not only is it difficult to sell gas when you can't get to the islands, people don't want to come to a dirty station.

MR. STENT: It's not going to be a convenient mart?

MR. MICHAEL: We normally operate the Xtra Mart convenient stores, we have no plans at this time to convert that to a convenient store. I have to come back in front of the board if we wanted to anyway.

MR. KRIEGER: Any plans to upgrade the building?

MR. MICHAEL: I do intend to, I think the service there is undersized for the new gasoline pumps. So as far as renovating the building, we have no plans for renovating the building. It's a service station and that is the operator's responsibilities.

MR. LANDER: Where is the dumpster on this site?

MR. MICHAEL: I don't know that there actually is a dumpster on the site.

MR. PETRO: See parking lot number 7?

April 22, 1998

7

MR. LANDER: Parking space number 7.

MR. PETRO: Is where the dumpster is, it's not an enclosure, but I believe that little alcove behind the building is where they slide it in and out see it there?

MR. LANDER: Where it says oil tanks?

MR. PETRO: Just, they are below grade, those tanks?

MR. MICHAEL: I do not know, I think they are above grade.

MR. PETRO: It's an alcove, whether it goes in and out, I can't say, but that is where it goes.

MR. LANDER: We're going to be looking for some type of screening, maybe a gate if they do in fact go back into that little space there. Of course, with all the cars and trucks, you really can't see it anyway. When all this is moved, then it's going to be visible again from 9W.

MR. MICHAEL: When I say that we'll monitor the dealer, make sure that they are keeping the site clean, obviously, it is a repair station and there will be vehicles there. I drove by it tonight and as I was driving by, I lost count.

MR. PETRO: He's here for referral to the zoning board.

MR. STENT: Make a motion that we grant approval.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the new Windsor BP station on Route 94 and Rt. 9W. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO NO

MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. LANDER	NO
MR. PETRO	ABSTAIN

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for necessary variances. Once you have those variances and they are put on the plan, you may return before this board to seek approval for a site plan.

MR. MICHAEL: Which office do I apply to the zoning board?

MR. KRIEGER: Well, the Zoning Board secretary is also the town attorney's secretary.

MS. MASON: We have to wait until when we get the minutes, takes a week sometimes and then we do the referral over to the Zoning Board secretary. If you contact her now, she won't know anything about it.

MR. MICHAEL: Now, after the zoning board has approved or disapproved the project and I come back here, is there a public hearing required?

MR. PETRO: There's one for zoning board, you'll have it as zoning board and Mr. Krieger is also zoning board attorney, so sometimes we reflect upon him to tell us like if nobody showed up, we're not going to have it and we'll waive it under our discretionary power. To answer your question, not necessarily two public hearings.

MR. KRIEGER: Yes there definitely maybe here.

MR. LUCAS: To save you some time then from my own interests if you and Andy can remember when he comes if front of them, if you can at least contact the American Legion at least American Legion and after they get that letter, then I think any other of the organizations that are involved with that you can say if there's anybody else involved with the monument, please contact them that there's going to be a public hearing.

MR. KRIEGER: What we can do have Pat do is add them to the list for the mailing.

MR. MICHAEL: As the Zoning Board's attorney, is that a two meeting meeting?

MR. KRIEGER: Yes, there's a preliminary and there's a final.

MR. MICHAEL: They meet once a month?

MR. MICHAEL: Twice a month, second and fourth Mondays. The biggest time consuming, most time consuming thing between the preliminary and the final is the notice requirement.

MR. MICHAEL: Will a copy of tonight's minutes be sent to them?

MS. MASON: No.

MR. MICHAEL: So I'm just trying to address all the issues raised tonight. One of them was the area between the parking lot and the park, second one was the dumpster enclosure, those were the two major issues that I heard tonight, I can just incorporate them in the plan be done with it and move forward.

MR. STENT: Shrubbery basically landscaping plan.

MR. LANDER: Now, you're going for a variance for that canopy, you need one for parking also, right?

MR. MICHAEL: Existing non-conforming.

MR. EDSALL: I have got it down as an existing condition, maybe the board should discuss that if you think he needs that, we'll save him the trouble of sending him twice.

MR. KRIEGER: Might as well ask for everything.

MR. LANDER: Parking requirement needs 13, providing 11 and he does have space to stick two more spots, so he

at least conforms to that.

MR. MICHAEL: Parking is based off of square footage of the building, correct?

MR. LANDER: Yes.

MR. MICHAEL: Only question I have you're right, I can put additional parking on there if need be.

MR. KRIEGER: Either put it on the map before you come back here or if it isn't going to fit when you apply to the zoning board, you might as well plan for a parking variance. Now is the time to decide.

MR. MICHAEL: Why don't we--is there a set back from the property line for parking?

MR. BABCOCK: No.

MR. MICHAEL: So I will add, actually I will add two spaces and they'll be horizontal spaces out here along that parking property line, there shall been dumpster enclsoures, curb along the park and two more parking spaces.

MR. PETRO: If it's already pre-existing non-conforming and he can't fit them on, why would he need a variance?

MR. EDSALL: Thing is he can fit them on if you have him put them in a location where they are not currentlty located as approved parking. The board could decide that there has never been more than 11 spaces, therefore, it's pre-existing non-conforming or you can take the other attitude, you're required to have 13, there's room for you to have 13, we want you to have 13.

MR. PETRO: Definitely, if the room is there I don't see why not.

MR. EDSALL: One of the items that is going to come up now we know there's a dumpster and you're going to have to put it someplace that is acceptable, the area behind the building I believe by code would be too loose to

meet the fire state by building code, so you may have to locate the enclosure which may kill space 7 or 11 so take that into consideration when you're looking at it.

MR. MICHAEL: Does the town have a law that says you can't have a dumpster enclosure behind the parking space?

MR. KRIEGER: State Building Code.

MR. EDSALL: Not next to a building behind the parking space.

MR. MICHAEL: I will put it right in front of parking space number two or three off the edge of the blacktop.

MR. BABCOCK: That's fine.

MR. EDSALL: Yeah, I mean--

MR. LANDER: Then you're going to have to enclose it. See, if it's back by the--

MR. MICHAEL: Typically for an operation of this size they probably have a 4 X 4 dumpster.

MR. EDSALL: So you might want to, well, maybe the first thing the board should do is decide which way you want to approach the parking, do you look at it as pre-existing non-conforming or do you want 13 spaces showing or a variance?

MR. LANDER: There's plenty of room for two more spaces on the lot.

MR. STENT: But he may be losing one because of the dumpster.

MR. LANDER: So he gets two along the monument side, all right, they run parallel to the property line.

MR. LUCAS: More than two.

MR. LANDER: Two there and then if he wanted to, you can put the dumpster by number 11, you have got all

this pavement, it's not yours, but they are not going to curb it, you can put it right next to number 11.

MR. PETRO: I agree with that, next to number 11.

MR. MICHAEL: That's fine, there's a little bit of curb there but it's not a big issue.

MR. PETRO: You're got plenty of room for a dumpster.

MR. MICHAEL: If we're talking about the parking problem and it's not considered pre-existing non-conformance, still requires a variance. There's three other items that are pre-existing non-conforming and if you bring the parking up, I'm bringing it up because I don't want to come back just before I get approval, I've got to go back to zoning, it's a sub, square footage of the lot is too small by 200 feet, 250 square feet, the front yard is too small but we're asking for a front yard setback. So that is not a problem. And the minimum rear yard is also non-conforming based on the--

MR. EDSALL: I think the difference Tom is that it's pretty well been documented and accepted that you can't move the building, so we just live with it as being non-conforming. I think what Ron brought up as far as parking was the fact that you could add the parking spaces in, its not a physical limitation.

MR. MICHAEL: As long as it's been thought through, I just don't want to have to come back twice.

MR. EDSALL: There is about 10 foot to 11 foot between spaces one and two and the property line, so a small dumpster enclosure would likely fit there and if the pick up is arranged during hours if those were customer spaces off hours it may work.

MR. PETRO: You know what's bad with that is usually any spot at a station becomes a spot with a car in it so I think a dumpster enclosure behind a space is not a good idea because there is always going to be a car of some kind there as long as it's a service station.

April 22, 1998

13

MR. MICHAEL: There is acceptable room next to number 11.

MR. PETRO: Because see that, all that property goes all the way up to 9W, I don't like that.

MR. EDSALL: No, by 11 is fine.

MR. MICHAEL: The volume of sales at the location does not warrant that we're imposing, so it's our intention to improve the site to increase the sales, so we think the site warrants it. There is enough people in the area.

MR. LUCAS: I get my gas there because I live right across the street, up a little bit, cemetery's across the street.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

APR 20 1998

N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 11

DATE PLAN RECEIVED: RECEIVED APR 17 1998

The maps and plans for the Site Approval ☒
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ☒,
disapproved _____.

If disapproved, please list reason _____

[Signature] 4/22/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 11

DATE PLAN RECEIVED: RECEIVED AUG 17 1998

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

MID VALLEY OIL _____ has been

reviewed by me and is approved ✓,

disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

[Signature] 8/17/98
SANITARY SUPERINTENDENT _____ DATE _____



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

RECEIVED

AUG 17 1998

N.W. HIGHWAY DEPT.

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 11

DATE PLAN RECEIVED: RECEIVED AUG 17 1998

The maps and plans for the Site Approval ☒
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ☒,
disapproved _____.

If disapproved, please list reason _____

William E. Sullivan 8/17/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: August 25, 1998

SUBJECT: BP Site Plan

Planning Board Reference Number: PB-98-11

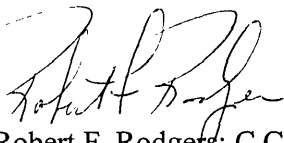
Dated: 17 August 1998

Fire Prevention Reference Number: FPS-98-048

A review of the above referenced site plan was conducted on 24 August 1998.

This site plan is acceptable.

Plans Dated: 13 August 1998 Revision 3

A handwritten signature in cursive script, appearing to read "Robert F. Rodgers".

Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 11

DATE PLAN RECEIVED: RECEIVED AUG 17 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of
B.B. 9w + Rt 94 has been

reviewed by me and is approved ✓

disapproved _____.

~~If disapproved, please list reason~~ _____

advise if water make-out is
needed

HIGHWAY SUPERINTENDENT DATE

John D. D. - 8-18-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: April 21, 1998

SUBJECT: BP Site Plan

Planning Board Reference Number: PB-98-11

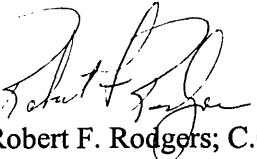
Dated: 17 April 1998

Fire Prevention Reference Number: FPS-98-018

A review of the above referenced subject site plan was conducted on 20 April 1998.

This site plan is acceptable.

Plans Dated: 2 April 1998 Revision 1



Robert F. Rodgers; C.C.A.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98-11
RECEIVED APR 17 1998
DATE PLAN RECEIVED: _____

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

BB. 9W - Quassack has been

reviewed by me and is approved L

~~disapproved~~ _____

If disapproved, please list reason _____

Notify water dept. before work
starts.

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B # 98 - 11

WORK SESSION DATE: 1 APR 98

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: No

REQUIRED: Full App

PROJECT NAME: Mid Valley - BP

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Tom Michael

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X _____
ENGINEER X _____
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Markup plan to be returned

Monday submittal

ZBA referral on 4/8



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF NEW WINDSOR P/B # 98 - 11

WORK SESSION DATE: 4 MAR 98

APPLICANT RESUB.
REQUIRED: Full Later

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Mid Valley Oil

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Tom Michael

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X _____
ENGINEER X _____
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

new canopy BP
- NC B-17 Spec Lot
- canopy - front yd variance
- 3 bays 4x3
9x19 pkg - poss pre-exist

THOMAS MICHAEL
ENVIRONMENTAL MANAGER

MID VALLEY OIL COMPANY, INC.
XTRA MART
P.O. BOX 4092
NEW WINDSOR, NY 12553
VOICE: (914) 561-4019 EXT 101
PAGER: (518) 446-7619
FAX: (914) 561-0089

4MJE91 pbwsform

1 SO WATER STREET, NEWBURGH, NY 12550



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan ☒ Special Permit _____

Tax Map Designation: Sec. _____ Block _____ Lot _____

1. Name of Project New Windsor BP
2. Owner of Record Petrolli Enterprises Phone _____
Address: 238 Maharay Ln New Windsor NY 12553
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant Mid Valley Oil Phone 914-561-4019
Address: P.O. Box 4092, New Windsor NY 12553
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan _____ Phone _____
Address: _____
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:
Thomas Michael 914-561-4019
(Name) (Phone)
7. Project Location:
On the west side of Rt 9W 50 feet
(Direction) (Street) (No.)
South of Rt 94
(Direction) (Street)
8. Project Data: Acreage .34 Zone CN School Dist. _____

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.)

Replace underground storage tanks and install
new pumps, islands, and Compy

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

6 DAY OF April 19 98


APPLICANT'S SIGNATURE

Clifton G. Quick
NOTARY PUBLIC

Thomas Michael
Please Print Applicant's Name as Signed

CLIFTON G. QUICK
Notary Public, State of New York
County of Ulster
Reg. No. 4933758

*****Commission Expires June 20, 1998*****

TOWN USE ONLY:

RECEIVED APR 17 1998
DATE APPLICATION RECEIVED

98 - 11
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Jim Petro, deposes and says that he resides
(OWNER)

at _____ in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. _____ Block _____ Lot _____)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

Mid Valley Oil P.O. Box 4092, New Windsor NY 12553
(Applicant Name & Address, if different from owner)

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4/21/98

Myra Mason
Witness' Signature

James R. Petro Jr.
Owner's Signature

[Signature]
Applicant's Signature if different than owner

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

RECEIVED APR 17 1998

98 - 11

PROJECT I.D. NUMBER

617.2

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>Mid Valley Oil</u>	2. PROJECT NAME <u>New Windsor RP</u>
3. PROJECT LOCATION: Municipality <u>New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Corner of Rt 9W & Rt 97</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Repl existing gasoline storage tanks and islands. Install new 24'x30' island canopy</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>.34</u> acres Ultimately <u>.34</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>Frontyard Setback Variance required</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Thomas Michael</u>	Facilities Manager <u>Mid Valley Oil</u> Date: <u>4/13/98</u>
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

RECEIVED APR 17 1998

98 - 11

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	
Name of Lead Agency	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	
Date	

2
RECEIVED APR 17 1998

98 - 11